



ADMINISTRATIVE POLICIES
AND PROCEDURES
State of Tennessee
Department of Correction

Index #: 103.04

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Effective Date: January 15, 2006

Distribution: A

Supersedes: 103.04 (1/15/04)

Approved by: George M. Little

Subject: PROVISION OF INFORMATION AND ACCESS TO THE MEDIA AND PUBLIC

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, and TCA 10-7-503.
- II. PURPOSE: To establish guidelines for the provision of information to the public and regulate staff and offender contacts with the media.
- III. APPLICATION: All Tennessee Department of Correction (TDOC) employees, inmates, and privately managed institutions.
- IV. DEFINITIONS:
 - A. Communications Officer (CO): The departmental spokesperson, designated by the Commissioner, whose role is to coordinate the dissemination of information and statements concerning the Department.
 - B. Institutional/Divisional Communication Liaisons: Individuals designated by a Warden or Program Director to coordinate the dissemination of information and statements concerning institutional or divisional activities.
 - C. News Media: News publications, accredited news services such as the Associated Press, licensed radio and television broadcast stations or networks, and government franchised community cable television systems that originate scheduled news programming. This includes newspapers and magazines, published at least weekly or monthly and containing news and feature articles appealing to a broad spectrum of interest. News media excludes broadcast programs syndicated by independent producers, or television stations or networks for the primary purpose of entertainment, and syndicated television broadcast talk shows.
- V. POLICY: The TDOC, as a public agency, shall manage contacts with the public and media, including internet web site content, through the CO to ensure accurate dissemination of information and appropriate access to the institutions without disruption of security or operational routines.
- VI. PROCEDURES:
 - A. Institution Contacts:
 1. When a Warden, Director, or liaison is contacted by a media source, he/she will contact the departmental CO. The appropriate departmental staff member will then get back with the media source. In the event that the CO is not available, the appropriate Assistant Commissioner will be contacted.

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2. After consultation with the CO and/or the Assistant Commissioner, the Warden, Director, or liaison may respond to the media or schedule interviews with news media as governed by the guidelines provided in this policy.

B. General Guidelines:

1. The news media will be allowed access to program areas of the facility Monday through Friday, 8:00 a.m. to 4:30 p.m. (excluding holidays). Access to facilities after these hours or on weekends or holidays will be at the discretion of the Warden in consultation with the CO.
2. If a Warden or designee denies access, a written explanation shall be provided to the Assistant Commissioner of Operations and to the CO.
3. The facility will be accessible to news media representatives, with the exception of those areas determined by the Warden to be inappropriate for confidentiality or security reasons, such as the armory, shower areas, individual cells, segregation areas, and clinic examination areas.
4. Groups of inmates will not be filmed or photographed if individual inmates can be readily identified, unless the TDOC Release and Permission for Interview/Photograph/Recording, CR-0555, is obtained from each inmate.
5. Any interview or visit by the news media may be denied, suspended, or terminated during the implementation of a contingency plan or under any other circumstances that pose a threat to the continued safety of persons and/or security of the facility or office. Interviews shall not occur inside a living area/pod.
6. The CO will answer media inquiries involving departmental policy development and departmental data.
7. The CO should handle all contact with out-of-state, national or international media. The CO may authorize Wardens, Directors, or institutional liaisons to make follow up contacts with media for specific projects, events, or stories.
8. The CO will verify the credentials of out-of-state, national, or international media. Access to the institutions will be allowed only with the specific authorization of the Commissioner.
9. News media wanting to videotape or photograph exteriors of a facility will be allowed to do so, provided that it does not disrupt normal business. Members of the media must notify the communications officer and warden prior to their arrival at the facility and should remain in the parking lot. In the event that the communications officer is not available, the warden of the facility or a designee must be notified. Any video obtained from the parking lot shall not include inmates.

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C. Interviews-Incarcerated Offender:

News media interviews with offenders may be permitted and subject to, but not limited to, the following restrictions:

1. The offender's right to privacy shall be preserved. Members of the news media shall be made aware of their responsibilities regarding privacy, custody, and security.
2. Interviews are voluntary. The offender has the right not to be interviewed, photographed, or recorded by the news media. The offender must sign the TDOC Release and Permission for Interview/Photograph/Recording, CR-0555, prior to being interviewed, recorded, or photographed. Departmental identification photographs are considered public record and are available upon request.
3. Interviews with death row inmates are to be conducted on Wednesdays, 8:00 a.m. to 4:30 p.m., excluding holidays and are limited to one hour in duration. All other security level inmate interviews will be conducted Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays.
4. All interviews shall be conducted in person and individually (one-on-one). News media interviews with death row inmates shall be in a non-contact setting. Press conferences by offenders are not permitted.
5. An inmate interview by a news media representative shall include only members of the news media crew, the inmate, and TDOC staff. No other persons may be present (e.g., family member, lawyer).
6. The Warden will select the institutional location for an interview.
7. Live broadcasts (television, radio, tele phone, or other electronic or communicative method) from inside the perimeter of an institution are not permitted at any time. Offenders are not permitted to participate in live broadcast programs. The Commissioner reserves the right to authorize the live broadcast of parole hearings on a case-by-case basis.
8. The news media will not be permitted to interview an offender away from institutional grounds except upon direct authorization of the Commissioner.
9. Telephone interviews with media on institutional phone lines will not be permitted. Inmates who wish to place the names and numbers of individual media representatives on their ITS calling lists may do so in accordance with Policy #503.08.
10. News media interviews shall not be permitted for inmates on suicide watch, mental health seclusion, segregation pending investigation, punitive segregation, administrative segregation, or protective custody. Those involved in an internal affairs investigation will also be prohibited from granting interviews until that case is closed.

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11. All inmates shall be separated from the interviewer(s) by a physical barrier (i.e., desk or table, non-contact visitation, etc.). In addition, inmates shall be restrained as noted below:
 - a. Death row – full restraints are mandatory
 - b. Close, medium and minimum restricted – handcuffs (secured in front of inmate) are mandatory
12. Death row inmates will be directly supervised by one (1) correctional staff for non-contact interviews with the news media. Contact interviews are not allowed with death row inmates.
13. Close, medium, minimum restricted, minimum direct, and minimum trusty custody inmates will be under direct supervision by a minimum of one (1) correctional staff during interviews.
14. No death row inmate is allowed to participate in more than (4) media interviews in one day. No close, medium, or minimum custody inmate will be allowed to participate in more than (3) media interviews in one day.

D. Release of Information - Offender:

The CO shall be notified of any request by the media for offender information. The communications officer, Warden, Director, or designee shall release information about incidents as outlined in Policy #103.02. Information that may be released:

1. Name
2. Age
3. Race
4. Conviction and sentencing data (includes offenses if conviction has occurred)
5. General institutional assignments
6. Identification picture (to be copied or photographed, not furnished)
7. Selected information on specific inmates may be made available to the general public on an individual basis.

E. Interviews - Staff:

Personal interviews with staff members are subject to the following restrictions:

1. Interviews are voluntary.
2. Approval must be obtained in advance from the Warden/Director for any interview conducted during the employee's working hours or on state property. The CO or appropriate Assistant Commissioner will be notified in advance of date and time of interview.

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F. Incidents

1. All incidents of media significance (particularly Class A and B incidents) are to be reported to the CO by the Assistant Commissioner of Operations or a designee after the reporting requirements of Policy #103.02 have been satisfied. Notification should be made without delay.
2. The Co shall be notified of all incidents of media significance via his/her assigned cellular phone, pager and/or home telephone.
3. It is the CO's responsibility to return calls and pages in a timely manner.
4. The CO shall be given all essential information pertinent to the circumstances of the incident and persons involved in order to respond to media inquiries.
5. After a report is given, the CO, in consultation with the Commissioner, will determine where media inquiries are to be directed for the particular incident.
6. Releases to the media will be prepared and distributed by the CO for incidents relating to high-risk escapes, recaptures, or incidents that could jeopardize public safety. All other releases will be issued on a case-by-case basis at the discretion of the Commissioner and the CO.

G. Public Information/Other Events/Internet Web Site Content

1. The TDOC annual report will be made available to the media and the general public. Additional information regarding the Department and its operations, such as statistical reports and inspection results, may be forwarded to the media and the general public who present ample justification regarding their need and right to know such information. All institutional contingency and transportation plans shall be treated as confidential and shall not be open for inspection by members of the media and public.
2. Wardens/Directors/liaisons may contact local media to cover a specific event or meeting (such as a fund-raising event) after the communications officer has been notified. Within one work day after the event or meeting, the Warden or designee will report to the CO about the coverage of the event/incident.
3. No facility or division is to issue a written press release to the news media. Upon approval and review by the CO, a facility or division drafted press release shall be issued by the CO or his/her designee from Central Office.
4. All TDOC web site format and content should be reviewed by the CO prior to going on-line. This includes any new web pages as well as revisions/updates to existing pages, excluding those updates provided by Policy, Planning, and Research. All questions addressed to the departmental Webmaster should be answered by the CO or a designee in a timely manner (2 business days). The CO or designee shall ensure that all web site content meets the state standard established for internet publication.

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H. Parole Hearings:

1. Media shall have access to parole hearings in accordance with TDOC Policy #103.03.
2. The Warden or designee shall confer with the parole board members on-site before admitting the media to a parole hearing.
3. Media shall be escorted to and from parole hearings by institutional staff.
4. Because parole hearings are considered an open court proceeding, inmates who appear can be videotaped, photographed or recorded without signing a consent form. The general provisions of this policy should still apply to interviews before or after the hearing. No interviews shall be conducted outside the hearing without the inmate's written permission.

VII. ACA STANDARDS: 2-CO-1A-30, 4-4020, 4-4021, and 4-4022.

VIII. EXPIRATION DATE: January 15, 2009.

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TENNESSEE DEPARTMENT OF CORRECTION
RELEASE AND PERMISSION FOR INTERVIEW/PHOTOGRAPH/RECORDING

I, _____, _____, hereby grant
_____ permission to

☐ Interview☐ Photograph☐ Record Me

with regard to the following subject matter: _____

I grant this permission freely and voluntarily, and I fully understand that I have the right to decline to be interviewed, recorded, or photographed. I fully understand that anything I say during the interview may be used against me in a court of law at any time. **I also fully understand that the Tennessee Department of Correction is not a party to and will not be held responsible for enforcing any agreement between the inmate and the interviewer regarding privacy. Finally, I reserve the right to end the interview at any time.**

Offender

Date

Witness